REMARKS

Claims 1-28 are pending in the present application, were examined, and stand rejected. In response, Claims 1, 2, 7, 10, 11, 16 and 19-28 are amended, no claims are cancelled and no claims are added. Applicant respectfully requests reconsideration of pending Claims 1-28 in view of at least the following remarks. Reconsideration and withdrawal of the rejections of record are requested in view of such amendments and the following discussion.

I.   Amendment to the Specification

Applicant has amended replacement paragraph [0065] to correct reference numerals in accordance with Replacement Sheet for FIG. 11. No new matter is added by such amendment. Thus, Applicant requests entry of the amendment.

II.   Objection to the Drawings

The Examiner has objected to the drawings due to minor informalities In response, Applicant has provided a Replacement Sheet for FIG. 11.

Regarding the Examiner's request to include the notation "PRIOR ART" as to FIG. 11, Applicant respectfully submits that MPEP §608.02(g) requires the designation of a figure as prior art if only that which is shown is old. Applicant respectfully submits that Replacement Sheet for FIG. 11 relabels device executables 512, 524 as device executable 450-1, device executable 450-2, root device executable 450-3 and embedded device executable 450-4 to illustrate that the device executables of the UPnP network devices 510, 520 and 530, as shown in FIG. 11, are generated according to the embodiments described, and specifically, device executables 450, as illustrated in FIGS. 1 and 8. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the objection to the drawings in view of Replacement Sheet for FIG. 11, which illustrates device executables 450-1, 450-2, 450-3 and 450-4, which are novel and therefore, should not be labeled as prior art.

III.   Claim Objections

The Examiner has objected to Claim 19 since "compiling the service-control class files" (in the 5th paragraph) is not changed to service control. In response, Applicant has amended Claim 19 to replace each reference of "service-control" with – service control --. Therefore, Applicant respectfully that the Examiner reconsider and withdraw the objection to Claim 19.

The Examiner has objected to Claim 2 because the claim referred to "service-control class files", unlike Claim 1, which referred to "service control class files." Applicant has amended Claim 2 so that Claim 2 now refers to "service control class files." Accordingly, in view of Applicant's amended to Claim 2 to replace all occurrences of "service-control" with – service

control --, Applicant respectfully requests that the Examiner reconsider and withdraw the objection to Claim 2.

Regarding the Examiner's objection to Claims 23-28, Applicant has amended Claims 23-28 such that each reference to "service-control" is replaced with -- service control --. Furthermore, "stub-method" remains the same, such that it is used in this manner throughout the entire document. Therefore, in view of Applicant's amendments to Claims 23-28, Applicant respectfully requests that the Examiner reconsider and withdraw the objection to Claims 23-28.

IV.   Claims Rejected Under 35 U.S.C. §103

The Examiner has rejected Claims 1-6, 8-15 and 17-24 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2002/0035621 by Zintel et al. ("Zintel") in view of U.S. Patent No. 6,789,077 issued to Gregory L. Slaughter ("Slaughter"). Applicant respectfully traverses this rejection.

To establish a *prima facie* case of obviousness, the following criteria must be met: (1) there must be some suggestion or motivation to modify the reference or combine the reference teachings, (2) there must be a reasonable expectation of success, and (3) the prior art references must teach or suggest all the claim limitations. (MPEP §2142) For the reasons provided below, the Examiner has failed to establish a *prima facie* case of obviousness in view of the references of record.

Regarding Claims 1 and 10, Claims 1 and 10 are amended to recite the following patentable claim features, which are neither taught nor suggested by the combination of Zintel in view of Slaughter, as well as the references of record:

> generating one or more service control class files including one or more service control stub-method according to a UPnP device description document received from a device vendor;
> receiving the service control class files including the service control stub-methods updated by the device vendor for responding to actions and events received by a UPnP device described by the UPnP device description document. (Emphasis added.)

As indicated by the Examiner, Zintel, when taken individually or in combination, fails to teach or suggest a method for generating an executable based on a device description document from a vendor. (*See*, Final Office Action mailed March 31, 2005.) Accordingly, Applicant respectfully submits that Applicant's amendments to Claims 1 and 10 prohibit the Examiner from establishing a *prima facie* case of obviousness of Claims 1 and 10 over Zintel in view of Slaughter, since the combination fails to teach or suggest each of the above-recited features of Claims 1 and 10.

Accordingly, Claims 1 and 10, as amended, are patentable over the combination of Zintel in view of Slaughter, as well as the references of record. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claims 1 and 10.

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PAGE 17/22 * RCVD AT 5/31/2005 5:59:42 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/8 * DNIS:8729306 * CSID:3108205988 * DURATION (mm-ss):07-00

Regarding Claims 2-6, 8 and 9, Claims 2-6, 8 and 9, based on their dependency from Claim 1, are also patentable over the combination of <u>Zintel</u> in view of <u>Slaughter</u>. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claims 2-6, 8 and 9.

Regarding Claims 11-15, 17 and 18, Claims 11-15, 17 and 18, based on their dependency from Claim 10, are also patentable over the combination of <u>Zintel</u> in view of <u>Slaughter</u>, as well as the references of record. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a rejection of Claims 11-15, 17 and 18.

Regarding Claim 19, Claim 19 is amended to recite the following claim features, which are neither taught nor suggested by the combination of <u>Zintel</u> in view of <u>Slaughter</u>, as well as the references of record:

> receive <u>service control class files</u> including <u>service control stub-methods updated</u> by a <u>device vendor</u> for responding to actions and events <u>received</u> by a <u>UPnP device described</u> by a <u>UPnP device description document</u>,
> compile the <u>service control class files</u> and the <u>updated service control stub-methods</u> along with a <u>device class library</u> and a <u>UPnP software development kit</u> to generate a <u>UPnP device executable</u> to provide an <u>implementation</u> of a <u>UPnP network protocol</u> for the <u>UPnP device</u> described by the <u>UPnP device description document</u>, and
> execute the <u>UPnP device executable</u> to enable <u>response</u> to <u>actions/events received</u> by the <u>UPnP device</u>. (Emphasis added.)

As indicated by the Examiner, the combination of <u>Zintel</u> in view of <u>Slaughter</u> fails to teach or suggest the generation of a device executable, based on service control stub methods updated by a device vendor, to generate the UPnP device executable to provide an implementation of a UPnP network protocol for the UPnP device described by a UPnP device description document. (*See, supra.*)

Therefore, Applicant respectfully submits that Applicant's amendments to Claim 19 prohibits the Examiner from establishing a *prima facie* case of obviousness of amended Claim 19 over the combination of <u>Zintel</u> in view of <u>Slaughter</u>, as well as the references of record, since the combination fails to recite each of the above-recited features of amended Claim 19.

Accordingly, Applicant respectfully submits that amended Claim 19 is patentable over the combination of <u>Zintel</u> in view of <u>Slaughter</u>, as well as the references of record. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claim 19.

Regarding Claims 20-22, Claims 20-22, based on their dependency from Claim 19, are also patentable over the combination of <u>Zintel</u> in view of <u>Slaughter</u>. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claims 20-22.

Regarding Claim 23, Claim 23 is amended to recite the following claim features, which are neither taught nor suggested by the combination of <u>Zintel</u> in view of <u>Slaughter</u>, as well as the references of record:

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generating at least one service control class file including at least one service control stub-method according to a UPnP description document received from a device vendor; and

generating a UPnP device executable for a UPnP device described by the UPnP description document, wherein the device executable to provide an implementation of a UPnP network protocol for the UPnP device. (Emphasis added.)

As indicated by the Examiner, the combination of Zintel in view of Slaughter fails to teach or suggest the generation of a UPnP device executable based on service control class files, including service control stub-methods, according to a UPnP description document received from a device vendor. (See, supra.) Accordingly, Applicant respectfully submits that Applicant's amendment to Claim 23 prohibits the Examiner from establishing a *prima facie* case of obviousness of Claim 23 over the combination of Zintel in view of Slaughter, since the combination of Zintel in view of Slaughter fails to teach or suggest each of the above-recited features of Claim 23.

Accordingly, Claim 23, as amended, is patentable over the combination of Zintel in view of Slaughter. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claim 23.

Regarding Claims 24 and 25, Claims 24 and 25, based on their dependency from Claim 23, are also patentable over the combination of Zintel in view of Slaughter. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claims 24 and 25.

The Examiner has rejected Claims 7, 16 and 25-28 under 35 U.S.C. §103(a) as being unpatentable over Zintel in view of Slaughter, and further in view of "Universal Plug and Play in Windows XP" by Tom Fout ("Fout"). Applicant respectfully traverses this rejection.

Regarding Claims 7 and 16, Claims 7 and 16 depend from Clams 1 and 10, respectively. Regarding the Examiner's citing of Fout, Applicant respectfully submits that Fout fails to rectify the deficiencies attributed to the combination of Zintel in view of Slaughter, which fail to teach or suggest a method for generating an executable based on a device description document received from a device vendor. (See, supra.) Hence, Claims 1 and 10 are patentable over the combination of Zintel in view of Slaughter and further in view of Fout.

Consequently, Claims 7 and 16, based on their dependency from Claims 1 and 10, respectively, are also patentable over the combination of Zintel in view of Slaughter and further in view of Fout. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claims 7 and 16.

Regarding Claim 25, Claim 25 depends from Claim 23. Regarding Claim 23, Applicant respectfully submits that the Examiner's citing of Fout fails to rectify the deficiencies of Zintel in

view of _Slaughter_ to teach or suggest the recited features of amended Claim 23. Hence, Applicant respectfully submits that Claim 23 is patentable over the combination of _Zintel_ in view of _Slaughter_ and further in view of _Fout_.

Accordingly, Claim 25, based on its dependency from Claim 23, is also patentable over the combination of _Zintel_ in view of _Slaughter_ and further in view of _Fout_. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claim 25.

Regarding Claim 26, Claim 26 is amended to recite the following claim feature, which is neither taught nor suggested by the combination of _Zintel_ in view of _Slaughter_ or the references of record:

> _displaying_, to a _device vendor_, at least one service _control stub-method_ of at least one _service control class file generated according_ to a _UPnP device description document_ received from the _device vendor_; and
> _compiling_ the _service control class files_ and the _service control stub-methods updated_ by the _device vendor_ along with a _device class library_ and a _UPnP software development kit_ to generate a _UPnP device executable_ to provide an _implementation_ of a _UPnP network protocol_ for the _UPnP device_. (Emphasis added.)

As correctly indicated by the Examiner, the combination of _Zintel_ in view of _Slaugter_ and further in view of _Fout_ fails to teach or suggest the above-recited features of Claim 26, as designed for vendors when developing new devices for a UPnP environment. (_See_, pg. 24, ¶5 of Final Office Action mailed March 31, 2005.)

Therefore, Applicant respectfully submits that Applicant's amendment to Claim 26 prohibits the Examiner from establishing a _prima facie_ case of obviousness of Claim 26 over the combination of _Zintel_ in view of _Slaughter_ and further in view of _Fout_, since the combination of _Zintel_ in view of _Slaughter_ and further in view of _Fout_ fails to teach or suggest each of the above-recited features of Claim 26, as amended.

Accordingly, amended Claim 26 is patentable over the combination of _Zintel_ in view of _Slaughter_ and further in view of _Fout_, as well as the references of record. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claim 26, as amended.

Regarding Claims 27 and 28, Claims 27 and 28, based on their dependency from Claim 26, are also patentable over the combination of _Zintel_ in view of _Slaughter_ and further in view of _Fout_. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the §103(a) rejection of Claims 27 and 28.

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CONCLUSION

In view of the foregoing, it is submitted that Claims 1-28, as amended, patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: May 31, 2005

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CERTIFICATE OF FACSIMILE:
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

_____
Marilyn Bass   May 31 2005

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